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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,670	05/26/2000	George A. Hansen	16319-04931	8210
758	7590	01/13/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			NGUYEN, NGA B	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/580,670

Applicant(s)

HANSEN, GEORGE A.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 18, 2005 has been entered.
2. Claims 6-15 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 6-15 have been considered but are not persuasive.

In the arguments, applicant states that Moran does not teach the claimed limitation of "a planning engine, coupled to the user interface, and configured to perform the steps of allocating the planning data to a plurality of items, each item having at least one variable, and each item configured to be present in or absent from each life cycle plan". Examiner respectfully disagrees. In response to the arguments, examiner submits that Moran discloses "a planning engine, coupled to the user interface, and configured to perform the steps of allocating the planning data to a plurality of items, each item having at least one variable, and each item configured to be present in or absent from each life cycle plan" (see figures 1, 7, 10-27, 29-31; and column 6, lines 5-25; Financial Advisory Service (FAS) 10 includes a User Interface 230 for receiving life cycle planning

Art Unit: 3628

data from a user and displaying plan results to the user; column 7, lines 35-60; FAS 10 displays the FAS Windows containing the program menu allows the user to access, create, edit the planning data; and figures 9-11 and column 11, line 50-column 13, line 67; in the Economic Groups 200, each item identifies a member of family (Graig Burke, Melanie Burke, Joshua Burke, Jenny Burke), with variables are date of birth, status as dependent; figures 20-27; Assets, Liabilities, Policies, Income, Expenses, in the Assets group, each item identifies name of the asset, with variables are owner, current value, tax status, etc..). For example, see column 16, lines 1-16, in the event Craig Burke unexpectedly dies, Craig Burke wants his son Joshua to go to Kansas State University instead of Harvard, the item "sending Joshua to Harvard" represents Craig's Investment present goal 265, the item "sending Joshua to Kansas State University" represents Craig's Sappy investment goal 270, thus the item "sending Joshua to Harvard" presents in Craig's Investment present goal 265 and absents from Craig's Sappy investment goal 270, the item "sending Joshua to Kansas State University" presents in Craig's Sappy investment goal 270 and absent from Craig's Investment present goal 265. Therefore, Moran satisfies the limitation "an item is configured to be present in or absent from each life cycle plan.

In conclusion, for the reason set forth above, examiner decides to maintain the previous rejection using Moran reference (also see details below) and make this Office action FINAL.

4. This is a RCE of applicant's earlier Application No. 09/580,670. All claims are drawn to the same invention claimed in the earlier application and could have been

finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 6-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Moran, U.S. Patent No. 6,430,542.

Regarding to claim 6, Moran discloses a system for making computer-implemented multiple life cycle plans, comprising:

a user interface including data entry elements for receiving life cycle planning data from a user and displaying plan results to the user (figures 1, 7, 10-27, 29-31; and column 6, lines 5-25; Financial Advisory Service (FAS) 10 includes a User Interface 230 for receiving life cycle planning data from a user and displaying plan results to the user); and

a planning engine, coupled to the user interface (column 7, lines 35-60; FAS 10 displays the FAS Windows containing the program menu allows the user to access, create, edit the planning data) and configured to perform the steps of:

allocating the planning data to a plurality of items, each item having at least one variable, and each item configured to be present in or absent from each life cycle plan (figures 9-11 and column 11, line 50-column 13, line 67; in the Economic Groups 200, each item identifies a member of family (Graig Burke, Melanie Burke, Joshua Burke, Jenny Burke), with variables are date of birth, status as dependent; figures 20-27; Assets, Liabilities, Policies, Income, Expenses, in the Assets group, each item identifies name of the asset, with variables are owner, current value, tax status, etc.); and

determining a plan result for each plan using only the items that are present in the plan (figure 30 and column 20, lines 20-43; e.g. determining the result for the death of Melanie plan; column 25, lines 35-60; determining the result for the death of a client plan).

Regarding to claim 7, Moran discloses a computer-implemented method from managing multiple life cycle plans, each plan including at least one item, each item having at least one variable, the results of a plan depending on the values of variables of the items of the plan, the method comprising:

determining values of item variables for a first set of items (column 25, lines 35-40; column 27, lines 20-38; planning if a client dies today, settles the estate, assigns a specific amount of money to the survivors, the wife and children begin to work, retirement plans, spend money, make money, pay for education, etc.);

constructing a first plan according to the first set of items, and storing an indication that each item in the first set of items is active in the first plan (column 25, lines 35-40; column 27, lines 20-38; the first plan is "client dies today", planning if a client dies today, settles the estate, assigns a specific amount of money to the survivors, the wife and children begin to work, retirement plans, spend money, make money, pay for education, etc.);

determining values of item variables for a second set of items (column 25, lines 55-column 26, line 23; column 27, lines 40-67; planning if a client dies five years later, recalculating settles the estate, assigns a specific amount of money to the survivors, the wife and children begin to work, retirement plans, spend money, make money, pay for education, etc.);

constructing a second plan according to the second set of items, the second set of items including at least one item from the first set of items, and storing an indication that each item in the second set of items is active in the second plan (column 25, lines 55-

column 26, line 23; column 27, lines 40-67; the second plan is “client dies in five years” planning if a client dies five years later, recalculating settles the estate, assigns a specific amount of money to the survivors, the wife and children begin to work, retirement plans, spend money, make money, pay for education, etc.);

determining a results for each plan according to the items active in the plan; and displaying the results (column 27, lines 20-60 and figures 36-37; determining the results of different dying dates of the client and displaying the results in the graphs).

Regarding to claim 8, Moran further discloses storing an indication that each item not in the second set of items is not active in the second plan (column 27, lines 20-60; in the second plan, because the client dies five years later, thus “the client dies today” in the first plan is not active in the second plan).

Regarding to claim 9, Moran further discloses:

receiving an indication that an item not in the second set of items should be added to the second plan (column 27, lines 20-60; in the second plan, because the client dies five years later, thus “the client dies today” in the first plan is not active in the second plan) ;

storing an indication that the item is active in the second plan (column 27, lines 20-60; “client dies in five years is active in the second plan);

determining a new result for the second plan according to the second set of items and the item for which an indication was received; and displaying the result (column 27, lines 20-60 and figures 36-37; determining the results of different dying dates of the client and displaying the results in the graphs).

Regarding to claim 10, Moran further discloses:

receiving a new value of an item variable of one of the items in the first set of items (column 27, lines 20-60; the date of the client dies (today) in first plan is changed to five years later for constructing a second plan);

determining a new result for each plan including the item; and displaying the result (column 27, lines 20-60 and figures 36-37; determining the results of different dying dates of the client and displaying the results in the graphs).

Claims 11-14 are written in computer software that parallel the limitations found in claims 7-10 above, therefore, are rejected by the same rationale.

Claim 15 is written in means that parallel the limitations found in claim 7 above, therefore, is rejected by the same rationale.

Conclusion

7. Claims 6-15 are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Art Unit: 3628

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen



November 16, 2005